

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 24, 2001
Tuesday, 9:05 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Pastor Cheryl Montgomery, Trinity Presbyterian Church, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

Minutes of the regular meeting of April 17, 2001, were approved 7 to 0.

AWARDS AND PRESENTATIONS

RECOGNITION

Special Recognition in Memoriam was given to the family of Richard Aldrich.

PROCLAMATIONS

Proclamations previously approved were presented.

GREENING PRES.

Presentation was made for Greening of Wichita.

UNFINISHED BUSINESS

ZON2000-00056

ZON2000-00056 – ZONE CHANGE FROM LIMITED COMMERCIAL TO GENERAL COMMERCIAL; AND CUP2000-00054 DP-08 AMENDMENT #9 – AMENDMENT TO THE UNIVERSITY GARDEN COMMUNITY UNIT PLAN TO ALLOW INDOOR STORAGE OF CONSTRUCTION AND EQUIPMENT AND VEHICLES AS A PERMITTED USE ON PARCEL TWO, LOCATED AT THE NORTHEAST CORNER OF 21ST STREET NORTH AND OLIVER. (District I)

Deferred from the April 17, 2001, City Council meeting.

Council Member Brewer participated in Board consideration of this Item and abstained from participation.

Motion --
-- carried

Knight moved that this Item be deferred and referred to the District Advisory Board for review and recommendation. Motion carried 6 to 0. (Brewer abstained)

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 102

NEW BUSINESS

TOURISM PLAN

STRATEGIC PLAN FOR TOURISM – IMPLEMENTATION TASKS.

Jessica Johnson

Marketing Services Director reviewed the Item.

Agenda Report No. 01-0538.

The Strategic Master Plan for Tourism that was presented last summer has been met with excitement and anticipation. The opinion of all groups and organizations involved in the process felt the strategic action steps were necessary to accomplish its objectives to expand tourism and convention business. With the implementation of this plan, the Wichita area will be better positioned to become a major tourism marketplace in the Midwest. To implement the plan, the City Council approved a significant increase in funding (by nearly \$600,000) to the Convention and Visitors Bureau to initiate actions to carry out the various strategies contained in the Tourism plan. Some of the action steps involve the City's direct participation.

The Tourism plan contains ambitious strategies required to achieve the various goals recommended by the City's consultant. Various elements of the plan have been assigned to the City for implementation. These include:

1. Internal Marketing Campaign

Ask Wichitans what they think about Wichita and you will get a dichotomous response, "It's a great place to raise a family, but there is not much to see or do here." Wichita's low self esteem about 'being from Wichita' is a reflection of the City's image. The first steps in changing the perception of Wichita begins with redefining the City and rebuilding a sense of pride for its citizens. This can be achieved with leadership commitment, a strategic plan and intensive application of this plan. This task will require a marketing campaign involving both the public and private sectors aimed at developing a positive sense of community.

Positive direction needs to be established to determine goals, develop a plan, and establish priorities of this effort. An Advisory Committee - appointed by the Mayor and representative of the various community partners - will direct, determine action steps and provide guidance on future efforts while working with the City, County and the Wichita Convention & Visitors Bureau. A coordinated effort (among all community segments) will ensure community support and facilitate active participation to accomplish the internal marketing effort.

2. Website Development

An important element of the Strategic Master Plan for Tourism is an official Wichita website. Rather than have separate and unlinked sites posted on the web, having a locally-produced and maintained website will project a positive image of the City. A user-friendly internet site for the community will unify the various websites and provide an enhanced and professional experience for visitors and persons seeking information on the community, about tourism-related attractions and information on meeting facilities. Based upon the contract with the CVB, the City's Information Technology Department will maintain the site. Once established, this official Wichita website will be an important resource for City information and events.

3. Performance & Accountability Task Force

The contract between the City and the Convention and Visitors Bureau is based on service and performance. The CVB is to perform specific services with measurable outcomes. The contract specifies that a task force be appointed comprised of representatives appointed by the Mayor from the City, CVB, Chamber of Commerce, hospitality industry, tourism attractions, and the university research communities, will be established to develop qualified and qualitative performance measures to monitor and evaluate the performance of the contract and accomplishments of the Plan. The task force may also address other issues relating to tourism,

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 103

convention market and product research. The work of the task force will be completed no later than July 31, 2001.

The City Council approved the funding of the Tourism Plan and contract with the CVB on March 27, 2001. Funding for the tasks (above) were provided within the approved budget. The budgeted allocation for the Internal Marketing program is \$125,000 (with anticipation of matching funds from the County); and \$60,000 for Website development and maintenance.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that implementation of tasks, including internal marketing program; Website development and maintenance; appointment of Janet Nichols-Harrah (University), John Trolfe (economic development – Chamber), John D'Angelo (attractions), Gerald Barrick (Hospitality), Jim Graham, Chair (CVB), Ray Trail and/or Rob Raine (City), and Jessica Johnson (Staff) on the Task Force on Performance and Accountability; and budget adjustments be approved. Motion carried 7 to 0.

-- carried

TEEN CENTER

FUNDING ASSISTANCE – TEEN CENTER, INC.

Tom Smith

Grants-In-Aid Coordinator reviewed the Item.

Agenda Report No. 01-0539.

The Teen Center, Inc., entered into a partnership with Wichita's Promise, drug and alcohol prevention and treatment providers, Wichita Police, USD #259, and other community groups to provide youth a safe environment for youth. The Teen Center acquired a facility (located on West Douglas) for use as a multi-purpose Center to provide youth with a convenient place for activities and events. The Teen Center originally raised approximately \$200,000 for capital improvements (and donations in labor from Key Construction and Fahnestock's) to renovate the facility. The facility has been successfully renovated and is in operation. Last year, funding assistance was provided by the City of Wichita (\$50,000) and from the County and United Way.

Additional funding requests are being made to continue operation of the Center. The Teen Center has again approached the City and Sedgwick County to provide the necessary operating funds.

Since the start of operations, the Teen Center, Inc. has not been self-supporting. The Center has had to rely on funding assistance from others to meet the financial obligations for the facility. The Center is again requesting funding assistance from the City and from Sedgwick County to assist in supporting the operation of the facility. An amount of \$10,000 is being requested from the City.

There are no funds budgeted for support of the Teen Center. Since the Teen Center operations are not eligible for CDBG funding, other revenue sources must be identified if the City Council wishes to approve the proposed funding. If approved, funding could be taken from the remaining funds in the Home Improvement Mortgage Revenue (1983) Bond program. Since the program has been closed out, these funds may be used for this purpose, if approved by the City Council.

Mayor Knight

Mayor Knight said it would be false economy to expect the Teen Center to stand on its own.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that proposed funding with appropriate conditions for the Teen Center project be approved. Motion carried 7 to 0.

-- carried

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 104

(The Council proceeded to take up the remainder of the Agenda and returned to the following time-certain Item.)

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 01-0540.

On February 27, 2001 a report was submitted with respect to the dangerous and unsafe conditions on seven (7) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 10:30 a.m. on April 10, 2001. On April 10, 2001 the Council deferred the hearing until April 24, 2001. One (1) property has since been demolished by the owner. The remaining six (6) properties are as follows:

On February 5, 2001, the Board of Code Standards and Appeals (BCSA) held a hearing on the following properties:

<u>Property Address</u>	<u>Council District</u>
1. 2602 North Madison	I
2. 2608 North Madison	I
3. 512 East Indianapolis	I
4. 1803 South St. Francis	III
5. 1006 North Custer	VI
6. 1137 North Fairview	VI

Pursuant to State Statute the Resolutions were duly published twice on March 5, 2001 and March 10, 2001. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

It is recommended that the City Council close the public hearing, adopt the resolutions declaring the buildings dangerous and unsafe structures, and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of April 24, 2001; (2) the structure(s) has/have been secured as April 24, 2001 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of April 24, 2001 and will be so maintained during renovation.

If any of the above conditions are not met, the Office of Central Inspection will proceed with demolition action and also instruct the City Clerk to have the resolutions published once in the official city paper and advise the owners of these findings.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared on Items 1, 2, 3, 4, and 6.

Motion --

Knight moved that for Items 1, 2, 3, 4, and 6, the public hearing be closed, the resolution declaring the building(s) dangerous and unsafe structures be adopted, the staff recommended time frame to alleviate the findings be approved and any extensions of time granted to repair the structures would be conditioned on the following: (1) any back taxes now due are to be paid and taxes kept current, (2) the structures are to be kept secured, and (3) the premises are to be kept mowed and free of debris; if any of these conditions are not met, staff is directed to proceed to let for bids to demolish the structure; and the City Clerk be instructed to have the Resolution published once in the official city paper and advise the owners of these findings Motion carried 7 to 0.

-- carried

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 105

RESOLUTION NO. R-01-175

A Resolution finding that the structure located on Lot 10, Block 4, Ridgecrest, an Addition to Wichita, Sedgwick County, Kansas, commonly known as 2602 North Madison, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-01-176

A Resolution finding that the structure located on Lot 9, except the north one-foot, Block 4, in Ridgecrest, an Addition to Wichita, Sedgwick County, Kansas, commonly known as 2608 North Madison, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-01-177

A Resolution finding that the structure located on east 55 feet of Lots 70 and 72, Block 12, Orme & Phillips Addition, an Addition to Wichita, Sedgwick County, Kansas, commonly known as 512 East Indianapolis, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-01-178

A Resolution finding that the structure located on Lots 2 and 7, Block 7, Allen & Smith's Addition to the City of Wichita, Sedgwick County, Kansas, and Reserve B except the N 10 ft. and the N 10 ft. of Reserve C, South Lawrence Avenue Addition to Wichita, Sedgwick County, Kansas, commonly known as 1803 South St. Francis, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-01-180

A Resolution finding that the structure located on Lot 1028 and the north 15 ft. of Lot 1026 on Wichita Street in Lewellen's Addition, to Wichita, Sedgwick County, Kansas, commonly known as 1137 North Fairview, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

5. 1006 North Custer

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Ms. Watkins

Ms. Watkins, owner of the property, said she had not read her previous letters from the City. She has no money to bring the taxes current. There is a prospective buyer for the property who does not want to pay the price Ms. Watkins desires to receive. The property has been vacant for about three years.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 106

Motion -- Fearey moved that the public hearing be closed, the resolution declaring the building(s) dangerous and unsafe structures be adopted, the staff recommended time frame to alleviate the findings be approved and any extensions of time granted to repair the structures would be conditioned on the following: (1) any back taxes now due are to be paid and taxes kept current, (2) the structures are to be kept secured, and (3) the premises are to be kept mowed and free of debris; if any of these conditions are not met, staff is directed to proceed to let for bids to demolish the structure; and the City Clerk be instructed to have the Resolution published once in the official city paper and advise the owners of these findings Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-01-179

A Resolution finding that the structure located on Lots 7, Sroade Acres Addition to Wichita, Sedgwick County, Kansas, commonly known as 1006 North Custer, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Fearey moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CITY COUNCIL AGENDA

HUD

REVIEW OF HUD FUNDING REQUIREMENTS. (REQUESTED BY COUNCIL MEMBER LAMBKE)

Council Member Lambke Council Member Lambke spoke regarding work that had been done in the South City area. Concrete drives, approaches, and sidewalks have been replaced with new concrete in the original position of the structures. Although some sidewalks were heaving in two or three spots, the rest of the sidewalks and drives were in good shape. There are other areas that have greater need.

The Housing Director had explained to Council Member Lambke that the project was funded with grant funds received in 1997.

Council Member Lambke said he thought the City Council should have more oversight on how grant funds are spent. The City Council could do a better job of distributing the funds.

Mayor Knight Mayor Knight said he was not interested in the City Council micro-managing everything. This may be one area that is history but it is not a normal event. Much time is spent on how funds are appropriated.

Council Member Lambke Council Member Lambke said expenditure of funds for this purpose is unwarranted. It would be better to return the money to the federal government.

Mayor Knight Mayor Knight suggested that if there is a project of which Council Member Lambke does not approve, the funds could be used in another district.

CON20001-00013

RECONSIDERATION OF CON20001-00013 – CONDITIONAL USE FOR A WIRELESS COMMUNICATION FACILITY, LOCATED SOUTH OF PAWNEE, EAST OF ST. FRANCIS – 2550 SOUTH ST. FRANCIS. (DISTRICT III) (REQUESTED BY COUNCIL MEMBER LAMBKE)

This Item was removed from the Agenda.

APPOINTMENTS

BOARD APPOINTMENTS.

Motion -- Fearey appointed Elizabeth Bishop (MAPC) and moved that the appointment be approved.
-- carried Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 107

Motion --
-- carried

Knight appointed Council Member Pisciotte (Convention and Visitors Bureau – replaces Council Member Cole) and moved that the appointment be approved. Motion carried 7 to 0.

AIRPORT BOARD

NOTICE OF VACANCY – WICHITA AIRPORT ADVISORY BOARD.

Appointment will be made May 1, 2001.

PROCLAMATIONS

PROCLAMATIONS:

--World Trade Week
--Public Service Recognition Week

Motion -- carried

Knight moved that the Proclamations be authorized. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, including addendum Item, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 23, 2001.

Bids were opened April 20, 2001, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains
as per specifications

Taft Court from the north line of Taft to and including the cul-de-sac to serve West Milbrook Addition - south of Maple, east of 119th Street West. (472-83193/765624/490735) Traffic to be maintained during construction using flagpersons and barricades. (District V);

Kansas Paving Company - \$31,535.20

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

WATER AND SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Installation of Water Utility Service Lines. (188201)

Mies Construction, Inc. – Item 1 Per Each - \$625.00
Item 2 Per Each - \$475.00

AIRPORT/ENGINEERING: Jet-A Aviation Gas UST Interior Lining. (500860)

Rays Petroleum Equipment - \$127,356.00 (Total Net Bid)

FINANCE/DATA CENTER: Cisco Equipment (602349)

Custom Fit Inc. - \$13,040.00 (Redirect Award of 2/27/01)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 108

LICENSES

APPLICATION FOR LICENSE FOR ADULT ENTERTAINMENT ESTABLISHMENTS /SERVICES:

New Escort Service

George Watley	Worldwide Entertainment	2415 South Glendale
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Motion -- carried Knight moved that the license be approved subject to Staff approval. Motion carried 7 to 0.

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
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Paul A. Eck	Family Home Assn. *	3202 West 13th
Thang D. Dao	Emperor of China*	7011 West Central #116

<u>New Operator</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
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Julie D. Pepplewell	Duffy's Den	2415 West 31st Street South
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Sub-Division Plans and Specifications submitted.

PRELIMINARY ESTS: PRELIMINARY ESTIMATES:

a) 2001 contract maintenance nova chip of asphalt and concrete streets - various locations. (472-83336/132710/131532/ 706809 /792268/620310/405274/405901/661434) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III, IV, V and VI) - \$641,700.00

b) 2001 contract maintenance mill and overlay - Phase 2 - north of Pawnee, east of Hillside. (472-83339/132710/620310/661434) Traffic to be maintained during construction using flagpersons and barricades. (Districts I and II) - \$402,900.00

c) 2001 contract maintenance area concrete reconstruction Phase 1 - north of 31st Street South, east of West Street. (472-83341/132710/706809/620310/405274/661434) Traffic to be maintained during construction using flagpersons and barricades. (Districts III, IV and VI) - \$246,600.00

d) Landscaping in connection with paving Seneca from 30th Street South to Crawford, Phase 2 - Seneca, Pawnee to 31st Street South. (472-83084/706778/200236) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$95,801.50

e) 2001 sanitary sewer rehabilitation, Phase C - north of Harry, east of Broadway. (468-83230 /620314/661438) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II and VI) - \$249,927.50

f) Leonine, Angel, Leonine Court to serve Angel Fire Addition - north of 47th Street South, east of West Street. (472-83292/765664/490775) Does not affect existing traffic. (District IV) - \$408,000.00

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 109

h) Shadow Lakes, Northshore Boulevard, Shadow Lakes Courts, Northshore Courts to serve Ridge Port Addition - east of Ridge, north of 29th Street North. (472-89247/765672/490783) Does not affect existing traffic. (District V) - \$398,000.00

i) Waterline extension in 159th Street East from Harry to Pawnee - south of Harry, east of 127th Street East. (448-89458/633727/750821) Traffic to be maintained during construction using flagpersons and barricades. (District II, County) - \$318,703.50

j) 16-inch waterline in Pawnee from 159th Street East to Rose Hill Road - Pawnee from 159th Street East to Rose Hill Road. (448-89457/633726/750820) Traffic to be maintained during construction using flagpersons and barricades. (District Butler County) - \$323,847.50

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

ANGEL FIRE

PETITIONS FOR STREET PAVING, SANITARY SEWER, AND WATER DISTRIBUTION SYSTEM TO SERVE ANGEL FIRE ADDITION – NORTH OF 47TH STREET SOUTH, EAST OF WEST STREET. (District IV)

Agenda Report No. 01-0541.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving, sanitary sewer and water service to a new residential development.

The Petitions total \$1,461,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-167

Resolution of findings of advisability and Resolution authorizing improving of Angel from the west line of the plat, east and south to the east line of Kessler; on 45th Street South from the east line of Kessler, east to the east line of Lot 9, Block D; on Kessler from the north line of Lot 42, Block C, north to the north line of 45th Street South; and on Angel from the southeast line of Lot 1, Block D, east to the west line of Lot 38, Block C; Angel Court (Lots 49-54, Block B) from the north line of Angel, north to and including the cul-de-sac; and on Kessler Circle (Lots 25-36, Block B) from the northwest line of Lot 37, Block B, north and west to and including the cul-de-sac; sidewalk be constructed along the north and east side of Angel from the west line of the plat east and south to the east line of Kessler; 45th Street South from the east line of Kessler, east to the east line of Lot 9, Block D; Kessler from the north line of Lot 42, Block C to the northwest line of Lot 42, Block C, to the northwest line of Lot 37, Block B; angel from the southeast line of Lot 1, Block D, east to the west line of Lot 38, Block C (north of 47th Street South, east of West Street) 472-83355, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-0168

Resolution of findings of advisability and Resolution authorizing improving of Leonine from the north line of Lot 18, Block C, north to the east line of Lot 5, Block B, on 45th Street South from the east line of Lot 5, Block B, west to the east line of Angel, on Angel from the west line of 45th Street south, west to the west line of Lot 38, Block C, and on Kessler from the south line of the plat, north to the north line of Lot 42, Block C, on 45th Street South Court from the south line of 45th Street South, south to and including the cul-de-sac, on Angel Court from the south line of Angel, south to and including the cul-de-sac, and on Kessler Court from the east line of Kessler, east to and including the cul-de-sac;

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 110

sidewalk along the west side of Leonine from the north line of Lot 18, Block C, north to the east line of Lot 5, Block B, on 45th Street South from the east line of Lot 5, Block B, west to the east line of Angel, and on Angel from the west line of 45th Street south, west to the west line of Lot 38, Block C, (north of 47th Street South, east of West Street) 472-83356, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-0169

Resolution of findings of advisability and Resolution authorizing construction of Lateral 466, Southwest Interceptor Sewer (north of 47th Street South, east of West Street) 468-83221, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-0170

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89550 (north of 47th Street South, east of West Street), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Metropolitan Area Planning Commission, 2-22-2001
Wichita Airport Advisory Board, 3-5-2001

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

ANNUAL REPORTS

2000 ANNUAL REPORTS BOARDS/COMMISSIONS:

Wichita Airport Authority
Housing Commissioners' Board
Wichita Public Library Board
Wichita-Sedgwick County Department of Community Health
Deferred Compensation Board
Board of Electrical Appeals
Board of Appeals of Plumbers and Gas Fitters
Board of Zoning Appeals
Metropolitan Area Planning Commission

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 01-0567.

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.

Cinco de Mayo – Friday, May 4, 1:00 p.m. to Sunday, May 6, 5:00 p.m.
Market Street from 21st North to 22nd North

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 111

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion -- Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

BREAST CANCER

GRANT AWARD/CONTRACT - MID-KANSAS SUSAN G. KOMEN BREAST CANCER FOUNDATION.

Agenda Report No. 01-0542

The "Free To Know Program" provides screening and diagnostic mammograms and pap smears for women ages 40 and over who do not have insurance or medical cards. KDHE provides for women 50 to 64 years of age; Komen provides mammograms for women 40 to 49 years of age. The women are examined clinically and followed routinely according to CDC guidelines. The Susan G. Komen grant award supplements this program for the provision of free screening and diagnostic mammograms to medically underserved women. Sonograms are also provided if medically indicated.

Funds for 2001 are made available from the Mid-Kansas Affiliate for the provision of mammogram services for the women who meet Komen criteria: uninsured or limited insurance; 49 years of age and under; and meet 250% of poverty guidelines. Without these funds, women in the 40 to 49 age group might have to do without these services.

A grant of \$26,000 will be used for the contractual mammogram services only. Fees charged by the City will be reimbursed through the Free to Know budget.

Motion -- Knight moved that Grant Award/Contract be approved and the necessary signatures be authorized.

-- carried Motion carried 7 to 0.

CHENEY

BUREAU OF RECLAMATION AGREEMENT – CHENEY WATERSHED SAMPLING.

Agenda Report No. 01-0543.

Cheney Reservoir is a major water supply source for Wichita, providing approximately 60% of Wichita's annual water supply. On May 7, 1996, the City Council approved agreements with the U.S. Geological Service (USGS) and the BOR to begin a five-year program to perform water quality analysis at various sites throughout the watershed.

The proposed program is developing a comprehensive water quality database for nutrients, total suspended sediment, and herbicides throughout the watershed. Data will be used to determine chemical loading into (and out of) Cheney Reservoir, identify chemical loadings within the watershed, and to evaluate the effectiveness of the improvements that are completed in the watershed.

The cost of the project over the five-year period will be approximately \$1,820,000. The Cooperative Agreement with the BOR will provide \$900,000. The Joint Funding Agreement with the USGS will provide an additional \$910,000 of the cost of the project. The City will be responsible for the remaining \$10,000, along with the cost of some analysis at the Water and Sewer Laboratory which is estimated to be \$30,000. Funding for the City's share of the expenses will be paid from Cheney Watershed Protection Plan (CIP W-500) which has an annual authorization of \$300,000. The BOR has submitted a Modification of Assistance Agreement for \$180,000 to be used for the project this year. The modification will increase the BOR funding to \$741,500. The Agreement is needed to continue BOR funding for the project.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 112

City Council approval is required for Agreements with a cost of \$10,000 or more. The Law Department has reviewed the Modification of Assistance Agreement and approved it as to form.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

KGE

RELOCATION OF KGE/WESTERN ELECTRIC FACILITIES AT MAPLE AND 135TH STREET WEST. (District V)

Agenda Report No. 01-0544.

On November 28, 2000, the City Council approved the 2001 Capital Improvement Program. It includes a project to reconstruct Maple Street, from 119th Street West to 135th Street West.

The project involves the installation of sidewalks on both sides of the street, and landscaping the right-of-way. Existing KGE/Western Resources electrical lines will be relocated to accommodate roadway improvements. The electrical facilities are currently located in a private easement outside the street right-of-way. Because of this, the cost to relocate the facilities must be paid by the City.

The cost to relocate the transmission line is \$12,500. Funds are available in the project budget (funded by General Obligation Bonds) to provide for this expense.

Motion --
-- carried

Knight moved that the Agreements/Contracts be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

LEGAL SERVICES

CONTRACT FOR PROFESSIONAL SERVICES WITH FOULSTON AND SIEFKIN.

Agenda Report No. 01-0545.

The City has retained the law firm of Foulston & Siefkin to provide legal services in connection with the class action litigation filed in Reinschmiedt v. City of Wichita. This case challenges the constitutionality of certain practices used by the municipal court judges to collect unpaid fines and court costs.

The original contract was approved on February 1, 2000. It has become necessary to spend additional sums to continue the representation of the City in this matter. This will be the third amendment to the original contract.

The additional sum covered by this Amendment provides for an amount not to exceed forty thousand dollars as necessary to continue the legal representation. The charges are reasonable in amount for the legal services involved. The legal services are funded from the General Liability-Tort Management Fund.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

VICTIM CENTER

CONTRACT FOR CONSULTANT SERVICES - VICTIM SERVICE CENTER.

Agenda Report No. 01-0546.

As part of the Comprehensive Communities Program (Phase IIB), the City has sought proposals from Consultants to conduct research and provide recommendations on a one-stop, comprehensive Victim Service Center. Such a Center would combine and centralize service delivery for domestic violence and other crime victims.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 113

Mainstream, Inc. has been selected as the vendor to undertake the necessary consulting services which include: research of the potential scope of services to be provided through a consolidated Victim Service Center; probable building, staff and operating costs; available sources of funds; and identification of (and coordination with) service providers that might be willing to participate in delivery of services through a one-stop, Victim Service Center.

Costs under the contract are not to exceed \$21,000 for the first phase of the contract. If the City proceeds with the second phase, costs are not to exceed \$27,000. The funding source for the contract is provided in the Community Development Block Grant budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROF. SERVICES

CONTRACTS FOR AIR SERVICE PROFESSIONAL SERVICES.

Agenda Report No. 01-0547.

The City has undertaken a major effort to improve commercial air service in and out of Wichita through lower air fares. This is an extended effort that involves local community leaders, public and private, working in concert with State officials. An element of this effort involves detailed studies, or updates of previous studies, of the air service market for Wichita Mid-Continent.

To move this initiative forward expeditiously, it will likely be necessary to engage the services of one or more professional consulting groups to assist in the conduct of market surveys, analysis of market demographics, and preparation of a marketing outreach plan. The costs of these efforts is projected not-to-exceed \$150,000. Due to the imperative to move forward quickly, it is proposed that the City Manager be empowered to expedite the procurement of the necessary professional services, and to execute the contracts, within the overall \$150,000 budget.

It is expected that all or most of the cost can be paid from the Airport Fund, however, to the extent that some costs may not be eligible from this funding source, the Economic Development Trust Fund would be used.

The contracts will be subject to approval as to legal form by the Department of Law.

Motion --
-- carried

Knight moved that the funding and necessary budget adjustments be approved and the City Manager be authorized to execute contracts for professional services as required. Motion carried 7 to 0.

VISITOR CENTER

UPDATES TO VISITOR INFORMATION CENTER.

Agenda Report No. 01-0548.

The Visitor Information Center (VIC), located in the Wichita Boathouse, has been operational for over a year. The VIC is conveniently located off U.S. Highway 54, the major highway from the east and west, and near the Hyatt hotel. The VIC houses information about the community specifically for visitors, including a map of the area, two interactive information computer touch-screens, and hundreds of brochures highlighting local attractions.

While visitors often stop by the location, the peak season for tourism is fast-approaching. Typically, the season for travel begins with River Festival, and lasts until the end of summer. Since the VIC's initial opening, there have been many changes within the community. There is information that needs to be updated/changed to accurately reflect all there is to "see and do" in Wichita and surrounding communities, along with updated information on attractions, etc. City Staff has been working with the Design Centre to improve and enhance the VIC. Items that need updated include:

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 114

- New location signage to replace the current sun-faded signage
- New displays of miniature ships that were donated to the City of Wichita by artist Joseph Gimback of Dodge City, Kansas
- Map alterations and corrections
- Update graphics and displays

A contract is proposed to be negotiated with the Design Centre to perform the above work tasks.

Funds to provide the updated maps and information and provide the display cases, along with purchasing new signage are available from existing earmarked funding for the Boathouse.

The contract will be reviewed as to form by the Department of Law.

Motion -- Knight moved that Staff be authorized to negotiate and approve contract with the Design Centre for specified services. Motion carried 7 to 0.
-- carried

HEALTH PROGRAM HEALTH DEPARTMENT, WOMEN, INFANT, AND CHILDREN PROGRAM.

Agenda Report No. 01-0549.

On March 20, 2000, the City Council allocated \$26,000 to Wichita/Sedgwick County Health Department to provide primary health care at the Northeast Health Station. On March 19, 2001, the Health Department requested the Department of Finance to redirect the funds to the Women, Infant and Children (WIC) program at the Northeast Health Station.

Services to be provided include the provision of health and nutritional counseling for women who are pregnant, have delivered and are breastfeeding the infant, and children up to the age of five. The women and children receive supplemental food/formula vouchers that are redeemed at local grocery stores. The vouchers are supplied by a State of Kansas grant.

CDBG funding in the amount of \$26,000 will be transferred from the Northeast Health Station primary care to Northeast Health Station Women, Infant and Children program. The funding will be used to finance a clerk position to process the WIC clients. The total budget remains the same.

Staff has performed a site visit of the WIC program and has determined that the program is eligible for CDBG funding.

Motion -- carried Knight moved that the transfer of funds be approved. Motion carried 7 to 0.

FIREFIGHTERS ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.

Agenda Report No. 01-0550.

The Defense Authorization Bill for FY 2001 authorized the Federal Emergency Management Agency (FEMA) to make \$90 million in grants to fire departments. An estimated \$39 million of this appropriation will be made available to paid fire departments. Funding is available for six specific categories, including: training, fitness programs, vehicles, firefighting equipment, protective equipment and prevention programs. Funding can be requested in only two categories; there will be no partial grant awards under the Program.

Fire Department staff has developed a proposed \$251,935 grant application, including \$151,935 for protective equipment and \$100,000 for fire prevention programs. The equipment funding would be used to replace breathing apparatus and a Self-Contained Breathing Apparatus (SCBA) air pack tester. The prevention funding would be allocated towards the purchase of smoke detectors, for distribution to homeowners that have been identified by the United States Fire Administration (USFA) as high-risk populations (i.e., homes with children under the age of 14 and seniors over the age of 65)

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 115

Fire departments serving populations over 50,000 must be able to match the Federal funds equal to 30 percent of the total grant award. If approved, the proposed grant application would require a local match of \$75,580.

Motion --
-- carried

Knight moved that the Grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

TENNIS CENTER

HUD ECONOMIC DEVELOPMENT INITIATIVE - TENNIS CENTER.

Agenda Report No. 01-0567.

On March 30, 2001, the U.S. Department of housing and Urban Development announced award of an Economic Development Initiative Special Project grant to the Maureen Connolly Brinker Tennis Foundation of Wichita. The grant is to provide a portion of the funding necessary to construct an indoor tennis facility at the Ralph Wulz Riverside Tennis Center.

The MCB Foundation has requested the City of Wichita serve as the grantee for the HUD Economic Development Special Project grant since the City has expertise to operate the grant and funds will be used to improve public property.

The grant totals \$429,034 and does not require matching funds. The City will have five years from the date of approval to spend the HUD funds. The grant is part of the funds to be raised by the private sector for the indoor tennis facility.

Motion --
-- carried

Knight moved that the Grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

BLOCK GRANT APP. AMENDED COMMUNITY SERVICES BLOCK GRANT APPLICATION.

Agenda Report No. 01-0551.

At its February 8, 2000, meeting, the Council authorized the submittal of a Community Services Block Grant (CSBG) application for Fiscal Year (FY) 2000 which began April 1, 2000, and runs through September 30, 2001. At its February 6, 2001, meeting, the City Council also authorized the submittal of a CSBG application for FY 2001, which began April 1, 2001. CSBG funds are to be used to assist low-income residents of the area and to provide services that have an impact on the causes of poverty.

The following events have necessitated the revision of the authorized budgets for both FY 2000 and FY 2001:

The FY 2000 budget contains \$70,680 in personnel costs to fund four (4) clerks positioned at the four Mini City Halls. Since the final remodeling and construction for the buildings plans is scheduled in 2001, the funding reserved for these positions will not be needed in the FY 2000 year budget. These funds will be used to pay additional costs associated with keeping existing City field offices in operation during remodeling and to pay for additional data connectivity costs.

Since the original FY 2001 application was submitted, the City has been informed that the funding allocation has been increased from \$864,969 to \$983,598. The original budget and recommended budget follow:

	<u>Original Budget</u>	<u>Recommended Budget</u>
Personnel	\$ 70,680	\$ 97,706
Non-Personnel	664,544	738,353
Administration	<u>129,745</u>	<u>147,539</u>
Total	\$864,969	\$983,598

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 116

The increase of \$27,026 in personnel costs reflects the salaries for a full twelve (12) months along with adjustments necessitated by the recent salary increases negotiated with the Service Employees' Union. The increase of \$73,809 in non-personnel costs will be used to defray the monthly charges for telephone and computer connections in the four Mini City Halls. Finally, the increase of \$17,794 in Administrative costs maintain the 15% administrative level of this grant, and is necessary to cover the cost of administering all grant activities.

Activities presented in the CSBG Programs include cleanups in low-income neighborhoods, summer recreation, health services through Project Access, and support costs for the Neighborhood Centers.

The CSBG allocation for FY 2000 remains at \$864,969 and the revised allocation for FY 2001 increases to \$983,598. No general operating funds from the City's General Fund budget will be affected by the budget revisions.

The CSBG Review Committee has approved and recommends the revised budgets for both program years.

Motion --
-- carried

Knight moved that the Grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROGRAM ACT APP. KANSAS COMMUNITY SERVICE PROGRAM ACT APPLICATION.

Agenda Report No. 01-0552.

On July 1, 1994, the State of Kansas initiated the Kansas Community Service Program Act. The Act authorizes tax credits (from state income tax) for cash contributions made to approved non profit organizations by private business firms, financial institutions and insurance companies. The State of Kansas has authorized a total of \$5 million in tax credits per fiscal year, for eligible projects. Eligible contributors (usually private for profit companies) receive a credit equal to 50% of the amount donated to non profits. Typically, the tax credit proceeds are used for capital projects, either new facilities or expansion of existing facilities, that are one time in nature. Applications for the State tax credits for non profits are competitive.

A Better Choice, Inc. has submitted a request for local government endorsement of their State non-profit tax credit application. If approved by the State, the eligible contributor is eligible to receive 50% credit of the cash contribution towards their State income taxes for contributions made to the community service organization during an eighteen-month period from the date of application approval.

The proposed applications do not conflict with any local plans, zoning or land use requirements. The endorsement does not obligate the City to fund, supervise or in any way associate itself with the applicant.

The proposed applications have no impact on City finances and do not require any City financial participation.

Motion --
-- carried

Knight moved that the Grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

LAND AND WATER (Addendum Item 24a)

APPLICATION FOR LAND AND WATER CONSERVATION GRANT.

Agenda Report No. 01-0566.

The Department of Park and recreation wishes to apply for federal Land and Water Conservation Grant funds (administered by the Kansas Department of Wildlife and Parks) to make improvements to property near 29th Street North and Ohio. The grant would provide funding to assist with development of two soccer fields which will be known as Bridgeport Park Soccer Fields.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 117

Development consists of addition of clean fill dirt, site grading, field crowining, seeding with warm season grasses, and installation of an irrigation system and soccer goals.

Grant funds requested in the amount of \$50,000 will cover approximately 40 percent of the total project costs estimated at \$163,281. The City will fund the remaining \$113,281 available from funds allocated in the Department of Park and Recreation Capital Improvement Program.

Motion --
-- carried

Knight moved that the Grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

WATER

FENCING AND SECURITY OF FUTURE WATER TREATMENT PLANT SITE.

Agenda Report No. 01-0553.

The City's Water Supply Plan provides for an additional water treatment plant to meet the City's water needs through the year 2050. A site has been acquired at 21st Street North and Hoover Road to construct the future plant.

The proposed plant will not be needed for a number of years; however, the site was acquired now because it is located close to the junction of the two main raw water pipelines that transport water (to the City) from the Equus Beds Wellfield and Cheney Reservoir. The site covers approximately 75-acres and has an existing fence that provides little security. To reduce trespassing and improve security, it is recommended that a standard industrial fence be installed around the perimeter of the site.

The cost to install fencing and security improvements is estimated to be approximately \$80,000. Demolition of the Murdock Pump Station (CIP W-544) was completed with less than allocated funding, leaving \$90,000 remaining. It is recommended that this amount be transferred to the new project, Fence for Northwest Water Treatment Plant (CIP W-899).

The City's Administrative Regulations require that projects with costs in excess of \$10,000 be submitted to the City Council for approval.

Motion --
-- carried

Knight moved that the project be authorized; the transfer of funds and Notice of Intent be approved; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-173

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$85,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ABC CAB COMPANY TRANSFER OPERATING PERMIT TO NEW OWNER OF ABC CAB COMPANY.

Agenda Report No. 01-0554.

Charter Ordinance No. 70 gives the Wichita Transit Department the authority to act on behalf of the City Council in administering Chapter 3.84, Taxicabs, and other transportation ordinances. The Taxicab Ordinance provides that the transfer of 10% (or more) in stock ownership requires approval from the City Council.

ABC Cabs, Inc., which operates a fleet of forty-five (45) taxicabs, is Wichita's newest cab service. This company has grown from its initial startup of ten (10) cabs in 1998, and has proven to be a welcome addition to our community. The current owner, Elijah Karambizi, has introduced Wichita

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 118

Transit staff to Mr. James Elmore, proposed buyer of ABC Cabs. Mr. Karambizi has worked to make ABC Cabs, Inc. successful, and feels that Mr. Elmore has the background and experience to continue this operation.

Under the new ownership, Mr. Elmore will be the sole owner ABC Taxi Cab Company, Inc. The proposed ownership change indicates little to no effect on ABC's current operation of service or facilities.

There is no evidence that indicates any negative effect on the company's financial integrity to continue its present operation.

The Department of Law has reviewed the proposal, and verifies the transition is allowable under current taxicab ordinance. Mr. Elmore is aware that once the City Council approves this transfer of ownership, he will be required to submit a complete insurance policy for review and approval prior to the actual takeover.

Motion -- carried

Knight moved that the change in ownership to Mr. James Elmore be approved. Motion carried 7 to 0.

SETTLEMENT

SETTLEMENT OF LAWSUIT.

Agenda Report No. 01-0555.

The plaintiff was injured when his vehicle was struck by a police patrol vehicle. The plaintiff was stopped at a railroad crossing at the time.

The City employee was deemed to be negligent and the City is liable for the personal injuries suffered by the plaintiff in the accident. The plaintiff has offered to settle the lawsuit for the sum of \$35,000. It is likely that if the matter goes to trial costs could exceed this amount.

Funding for this payment is from the City's Tort Claims Fund.

Motion -- carried
-- carried

Knight moved that the payment of \$35,000 in settlement of the lawsuit be approved. Motion carried 7 to 0.

BUDGET

BUDGET TRANSFER – STORM WATER UTILITY.

Agenda Report No. 01-0556.

The 2001 Storm Water Utility budget contains \$168,100 for the purchase of an additional combination cleaner, a machine that is used for the high pressure cleaning of drains. We have recently learned that the price of this equipment is \$217,940 without a trade in.

Additionally, the Utility needs to replace a pickup truck originally scheduled for replacement in 2000. That replacement was delayed by the recent fleet study.

To accomplish these purchases, an additional \$50,000 needs to be transferred from Utility contingent funds to capital equipment purchases.

Money to fund the transfer is available within the Storm Water Utility Fund.

Budget transfers over \$10,000 require Council approval.

Motion -- carried

Knight moved that the budget transfer be approved. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 119

PROPERTY ACQ. ACQUISITION OF 457 WAVERLY. (District II)

Agenda Report No. 01-0557.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. At the time of approval, there were ten residential and four businesses. Including pending approvals, there are six residences and four business remaining to be purchased. One of the properties remaining to be acquired is 457 Waverly, owned by Jerry Ephriam. The site contains 11,700 square feet and is improved with a 2,137 square foot brick, single-family residence. The property has three bedrooms and two baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was valued at \$190,000 including relocation and moving. This amount was offered to the owner and accepted. The owners have located a replacement property and will relocate as soon as it is available. The site will then be processed for immediate demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$202,000 is requested. This includes \$190,000 for the acquisition, \$10,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ. ACQUISITION OF PART OF 1710 EAST 13TH STREET. (District I)

Agenda Report No. 01-0558.

In July of 1998, City Council approved a resolution calling for the improvement of several intersections and traffic corridors within the City. The intersection of 13th and Hydraulic was one such location. The improvement plans call for partial acquisitions at three corners. A 128-foot rectangular tract is required at the northeast corner. LO Investments owns this corner.

The site is improved with a retail strip center. No improvements will be impacted by this project. A negotiated value of \$3,500 has been agreed to by the owner for the partial acquisition.

The Council resolution approved \$95,000 in general obligation bonds for this project. A budget of \$5,000 is requested. This includes \$3,500 for the acquisition, and \$1,500 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

CONDEMNATION REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 01-0559.

On April 2, 2001 the Board of Code Standards (BCSA) held a hearing on the following two (2) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 120

Property Address

1. 1632 North Ash
2. 3121 South Yale

Council District

- I
- III

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolutions placing this matter on the agenda for a Hearing before the Governing body on June 5, 2001, at 10:30 a.m. be approved. Motion carried 7 to 0.

RESOLUTION NO. R-01-171

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the property legally described as: Lots 64 and 66, Strong Now Ash Street, Logan Addition to Wichita, Sedgwick County, Kansas known as 1632 North Ash, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-01-172

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the property legally described as: Lot Number 43, Block F, in Planeview Subdivision Number 2 in Section 2, T..28 S, R. 1 E, of the 6th Principal Meridian, Sedgwick County, Kansas known as 3121 Yale, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

MAYOR SUCCESSION RESOLUTION ESTABLISHING THE ORDER OF SUCCESSION AS MAYOR OF THE CITY.

RESOLUTION NO. 01-174

A Resolution establishing the order of succession as may of the City of Wichita, Kansas, in the absence from the city of the Mayor and Vice Mayor, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ APRIL 17, 2001)

- a) Implementing provisions of Charter Ordinance pertaining to Public Bidding.

ORDINANCE NO. 44-957

An Ordinance of the City of Wichita, Kansas, implementing the provisions of Charter Ordinance No. 177, pertaining to public bid requirements, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 121

- b) 2001 bridge design program.

ORDINANCE NO. 44-958

An Ordinance declaring Central Avenue Bridge at Tara Street, Rock Road Bridge at Gypsum Creek and Bridge Inspections (2001 Bridge Improvement Program) 472-83373 to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain, improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- c) Southeast Boulevard (K-15 Highway) improvement between 31st Street South and I-135 Expressway. (District III)

ORDINANCE NO. 44-959

An Ordinance declaring Southeast Boulevard, between 31st Street South and I-135, 472-83363, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- d) IRB – WSM Properties – supplemental indenture.

ORDINANCE NO. 44-960

An Ordinance prescribing the form and authorizing execution of a First Supplemental Trust Indenture by and between the City and Commerce Bank, N.A., Wichita, Kansas, as trustee, with respect to the City of Wichita, Kansas, Industrial Revenue Bonds, Series VII-A, 1998 (Wichita Sheet Metal Project) and the City of Wichita, Kansas, taxable Industrial Revenue Bonds, Series VII-B, 1998 (Wichita Sheet Metal Project), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight

- e) ZON2001-00012 - southwest corner of Central and Tracy. (District IV)

ORDINANCE NO. 44-961

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-00012

PLANNING AGENDA

Motion -- carried

Knight moved that the Planning Agenda Items be approved as consensus Items. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 122

SUB2001-04

SUB2001-04 – PLAT OF REMINGTON PLACE ADDITION LOCATED EAST OF WEBB, ON THE SOUTH SIDE OF 21ST STREET NORTH. (District II)

Agenda Report No. 01-0560.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (9-0)

A zone change (ZON 2000-61) from SF-6, Single-Family Residential to NO, Neighborhood Office has been approved for Lots 17 and 18, Block 1, subject to platting. Subsequent to the zone change, the site has been annexed by the City.

Petitions, all 100%, have been submitted for sanitary sewer, water, drainage, and paving. A Certificate of Petitions has also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. In order to allow for the platting of a street with a narrow or nonstandard right-of-way dedication, a 15-foot street, drainage, and utility easement was platted with a covenant restricting the use of easements.

The site is within the noise impact area of McConnell Air Force Base and an avigational easement and restrictive covenant were required. An off-site drainage easement, and an off-site drainage and utility easement were also provided. As requested by the Planning Commission, a restrictive covenant was provided regarding an existing pipeline located within a residential lot.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the Ordinance . (ZON 2000-61) be placed on first reading; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-149

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89568, (east of Webb, south of 21st Street), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-150

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89569, (east of Webb, south of 21st Street) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-151

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89570 (east of Webb, south of 21st Street), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 123

RESOLUTION NO. 01-152

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89571, (east of Webb, south of 21st Street), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-153

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89572, (east of Webb, south of 21st Street), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-154

Resolution of findings of advisability and Resolution authorizing construction of Lateral 34, Main 24, War Industries Sewer, (east of Webb, south of 21st Street) 468-83246, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-155

Resolution of findings of advisability and Resolution authorizing construction of Lateral 35, Main 24, War Industries Sewer (east of Webb, south of 21st Street), 468-83247, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-156

Resolution of findings of advisability and Resolution authorizing construction of Lateral 36, Main 24, War Industries Sewer, (east of Webb, south of 21st Street), 468-83248, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-157

Resolution of findings of advisability and Resolution authorizing construction of Lateral 37, Main 24, War Industries Sewer (east of Webb, south of 21st Street), 468-83249, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-158

Resolution of findings of advisability and Resolution authorizing construction of Lateral 38, Main 24, War Industries Sewer (east of Webb, south of 21st Street), 468-83250, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 124

RESOLUTION NO. 01-159

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 165, (east of Webb, south of 21st Street), 468-83252, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-160

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 166, (east of Webb, south of 21st Street), 468-83253, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-161

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 167, (east of Webb, south of 21st Street), 468-83254, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-162

Resolution of findings of advisability and Resolution authorizing improving of 19th Street North from the east line of Vinegate to the west line of 19th Court North; Churchill from the east line of Frederic to the east line of Lot 5, Block 1; and Frederic/Red Oaks from the south line of Lot 24, Block 6, to the north line of Churchill. Sidewalk along the north side of 19th Street North from Vinegate to Frederic; the south side of 19th Street North from Frederic to 19th Court North; and on the east side of Frederic from 19th Street North to the south line of Lot 28, Block 7, (east of Webb, south of 21st Street) 472-83375, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-163

Resolution of findings of advisability and Resolution authorizing improving of Cranbrook from the south line of 21st Street North to the south line of Lot 1 Block 6; Churchill/Shadybrook from the westerly line of Cranbrook to the west line of Lot 4, Block 1, 19th Street North from the west line of 19th Court North to the east line of Lot 1, Block 6; and 19th Court North from the south line of 19th Street North to and including the cul-de-sac. Sidewalk along the west line of Cranbrook and the south line of 19th Street North, (east of Webb, south of 21st Street), 472-83376, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-164

Resolution of findings of advisability and Resolution authorizing improving of Shadybrook/Lindberg from the east Line of Cranbrook, (east of Webb, south of 21st Street), 472-83377, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 125

RESOLUTION NO. 01-165

Resolution of findings of advisability and Resolution authorizing improving of Cranbrook from the south line of Lot 28, Block 7, to the north line of Lot 36, Block 7, (east of Webb, south of 21st Street), 472-83378, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 01-166

Resolution of findings of advisability and Resolution authorizing improving of Cranbrook from the south line of Lot 1, Block 6, to the north line of Lot 36, Block 7; Cranbrook Court serving Lots 37-thru 43, Block 7; and Cranbrook Court serving Lots 44 thru 50, Block 7; Sidewalk along the west line of Cranbrook, (east of Webb, south of 21st Street), 472-83379, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. (ZON 2000-61)

SUB2001-24

SUB2001-24 – PLAT OF JESSE THIRD ADDITION LOCATED ON THE SOUTH SIDE OF 33RD STREET NORTH, WEST OF BROADWAY. (District VI)

Agenda Report No. 01-0561.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (8-0)

This replat is located in the City of Wichita and municipal services are available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

A 01-07

A 01-07 – ANNEXATION OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF 127TH STREET EAST AND CENTRAL. (District II)

Agenda Report No. 01-0562.

The City has received a request to annex approximately 33 acres situated at the northwest corner of 127th Street East and Central. The site abuts the City of Wichita to the north, west, and southeast. The property owner is planning to develop the site with a 354,864 sq/ft commercial building. The staging of development has been planned over multiple years, with 100% of development projected to occur within 20 years.

Land Use and Zoning: The annexation site is presently in agricultural use and consists of one (1) undeveloped tract of land zoned “SF-20” Single Family Residential and “LC” Limited Commercial. Land north, south and west of the site is developed or will be developed with residential properties and is zoned “SF-6” Single Family Residential. Upon annexation, the “SF-20” Single Family Residential zoning of the subject property will convert to “SF-6” Single Family Residential and the “LC” Limited

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 126

Commercial will remain unchanged. Upon annexation, the requesting applicant will seek a zoning change to "GO" General Office.

Public Services: The City Water and Sewer Department indicates that the subject property proposed for annexation will likely connect to a 16" water main along Central. For sewer, it is anticipated that an existing line extended from 4-Mile Creek will be abandoned and replaced with a line running east-west from Greenwich.

Street System: The property proposed for annexation will have access to 127th Street East, which serves the area as the nearest major north-south road, and Central, which serves the area as the nearest major east-west road. Both streets are four-lane arterials. There are no plans to further improve these sections of road in either the 2001-2010 City of Wichita Capital Improvement Plan (C.I.P.) or the 2001-2005 Sedgwick County Capital Improvement Program (C.I.P.).

Public Safety: Under the City-County first response agreement, fire services to this site can be provided most readily, within a five (5) to six (6) minute approximate response time, from County Station #38 located at 1010 N. 143rd Street East. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: Chisholm Creek Greenway is located less than ¼ mile east of the property proposed for annexation, and a potential park site is located approximately one mile northeast of the proposed property. Chisholm Creek Greenway runs along K-96 and Chisholm Creek. At its northern end, Chisholm Creek Park and Grove Park are link by way of this existing pathway/greenway.

School District: The property is located in Unified School District 385 (Andover School District). Annexation will not change the school district.

Comprehensive Plan: The property is also located within the Wichita 2010 urban service area, as depicted in the 1999 Update to the Comprehensive Plan, adopted last year by the City Council.

The property proposed for annexation has not yet been platted. The total assessed value of the property is \$1,990. The future assessed value of this property will depend on the timing of development, the type of development, and the current mill levy. However, the applicant projects an overall appraised value of \$15,970,000 when development is completed, resulting in an assessed value of \$3,992,500. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$125,388 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --
-- carried

Knight moved that the annexation request be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. (A 01-07)

AIRPORT AGENDA

AIRPORT

CONSENT TO ASSIGNMENTS OF RENTS – INTRUST BANK, N.A.

Agenda Report No. 01-0563.

The Wichita Airport Authority entered into an agreement dated August 22, 2000 with Midwest Corporate Aviation (MCA) for the use of land at 3740 Jabara Road on Colonel James Jabara Airport. MCA secured funds for the hangar construction from INTRUST Bank. In lieu of a lien, MCA has requested that an assignment of rents be granted to INTRUST as security for its construction loan.

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 127

Under this agreement, MCA would pledge all rents (including all revenues, income, and profit from the property) as security for the loan. Consent is necessary because of the following additional elements: The Assignment of Rents includes a provision giving the Bank the authority to "enter" and "maintain" the property, event without event of default. Those rights are limited to the extent that the Consent to Assignment requires INTRUST to secure permission from the WAA before subleases or further assigns of the premises are granted. Under the Consent to Assignment, the WAA is required to include INTRUST in any notice of default or cancellation and to give INTRUST the opportunity to cure the default.

Motion --
-- carried

Knight moved that the Consent to Assignment, be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

AIRFIELD ELECTRICAL VAULT IMPROVEMENTS CHANGE ORDER.

Agenda Report No. 01-0564.

On January 12, 2001 the City Council approved the bid of Snodgrass & Sons Construction Company for work associated with airfield electrical vault improvements.

During construction it was discovered communication cables need to be relocated in order to complete the project.

The total cost of the change order is \$10,900.00 and is within the project budget. The project is being funded with a FAA grant and matching funds from the Passenger Facility Charge program.

The Law Department and the Federal Aviation Administration will review the Change Order prior to obtaining signatures.

Motion --
-- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

ROOF REPLACEMENTS - MID CONTINENT AIRPORT.

Agenda Report No. 01-0566.

On January 9, 2001 the City Council approved the project and authorized the selection of a consultant for roof replacements on Wichita Mid-Continent Airport.

On March 9, 2001 the Staff Screening and Selection Committee selected Howard & Helmer Architects, P.A. to design the project.

The contract amount is \$15,920.00 and is within the approved project budget. The project is being funded with airport revenues.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:05 a.m. to a workshop on the City's Financial Plan and reconvened at 10:30 a.m.

(The Council returned to take up Item Certain Item on Dangerous and Unsafe Properties; action is shown in Agenda Order.)

CITY COUNCIL PROCEEDINGS

JOURNAL 173

APRIL 24, 2001

PAGE 128

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation and legal advice, and the Council return from executive session no earlier than 10:50 am. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:40 a.m. and reconvened at 10:55 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 10:55 a.m.

Pat Burnett CMC
City Clerk